

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

STATE OF CALIFORNIA, ex rel. VEN-A-  
CARE OF THE FLORIDA KEYS, INC., a  
Florida Corporation,  
Plaintiffs,  
v.  
ABBOTT LABORATORIES, INC.; AMGEN,  
INC.; ARMOUR PHARMACEUTICAL CO.;  
AVENTIS BEHRING, L.L.C.; AVENTIS  
PHARMACEUTICALS, INC.; B. BRAUN  
MEDICAL, INC.; B. BRAUN OF AMERICA,  
INC.; BAXTER HEALTHCARE CORP.;  
BEDFORD LABORATORIES; BEN VENUE  
LABORATORIES, INC.; BOEHRINGER  
INGELHEIM CORP.; BOEHRINGER  
INGELHEIM PHARMACEUTICALS INC.;  
BRISTOL-MYERS SQUIBB COMPANY  
a/k/a BRISTOL-MYERS ONCOLOGY  
DIVISION/HIV PRODUCTS; C.H.  
BOEHRINGER SOHN  
GRUNDSTUCKSVERWALTUNG GMBH &  
CO. KG; DEY, INC.; DEY, L.P.; EMD, INC.;  
GENEVA PHARMACEUTICALS INC.;  
GENSIA INC.; GENSIA SICOR, INC.;  
GLAXO WELLCOME INC. f/k/a  
BURROUGHS WELLCOME CO.;  
GLAXOSMITHKLINE PLC; HOECHST  
MARION ROUSSEL, INC.; IMMUNEX  
CORP.; LIPHA, S.A.; McGAW, INC.;  
MERCK KGaA; MYLAN LABORATORIES,  
INC.; MYLAN PHARMACEUTICALS, INC.;  
NOVARTIS AG; PHARMACEUTICAL  
INVESTMENT, LTD.; ROXANE  
LABORATORIES, INC.; SANDOZ, INC.;  
SCHERING-PLOUGH CORP.; SICOR, INC.  
f/k/a GENSIA PHARMACEUTICALS, INC.;  
SMITHKLINE BEECHAM CORPORATION

d/b/a GLAXOSMITHKLINE; TEVA )  
PHARMACEUTICAL INDUSTRIES, LTD.; )  
WARRICK PHARMACEUTICALS CORP.; )  
Z.L.B. BEHRING, )  
Defendants. )

**NOTICE OF VOLUNTARY DISMISSAL  
OF TEVA PHARMACEUTICAL INDUSTRIES, LTD.**

Please take notice that plaintiffs in the above-captioned matters hereby dismiss all claims against defendant Teva Pharmaceutical Industries, Ltd., without prejudice, pursuant to Fed. R. Civ. P. 41(a)(1). Teva Pharmaceutical Industries, Ltd. has not served an answer or motion for summary judgment in the above-captioned matters; therefore, plaintiffs' claims will be dismissed without order of this Court, upon filing of this notice of dismissal.

Respectfully submitted,

BILL LOCKYER  
Attorney General for the State of California

Dated: November 10, 2005.

By:   
NICHOLAS N. PAUL  
CA State Bar No: 190605  
Deputy Attorney General  
Bureau of Medi-Cal Fraud & Elder Abuse  
OFFICE OF THE ATTORNEY GENERAL  
California Department of Justice  
1455 Frazee Road, Suite 315  
San Diego, California 92108  
Tel: (619) 688-6099  
Fax: (619) 688-4200

**Attorneys for Plaintiff,  
STATE OF CALIFORNIA**

**CERTIFICATE OF SERVICE**

I hereby certify that I, Nicholas N. Paul, Deputy Attorney General, Bureau of Medi-Cal Fraud and Elder Abuse, for the State of California, caused a true and correct copy of the foregoing **Notice of Voluntary Dismissal of Teva Pharmaceutical Industries, Ltd.** to be served electronically on counsel of record pursuant to Paragraph 11 of the Case Management Order No. 2, by sending a copy to LexisNexis File and Service for posting and notification to all parties.

Dated: November 10, 2005.



---

NICHOLAS N. PAUL  
Deputy Attorney General  
Bureau of Medi-Cal Fraud and Elder Abuse  
State of California  
1455 Frazee Road, Suite 315  
San Diego, CA 92108  
Tel: (619) 688-6099  
Fax: (619) 688-4200